

September 19, 2016

Honorable Senator Ken Horn
Economic Development and International Investment Committee

VIA ELECTRONIC DELIVERY

Re: September 20, 2016 Committee Hearing
SB 1061
Written Testimony

Senator Horn and Members of the Committee,

On behalf of Oakland County we have read very carefully the package of Senate Bills that would seek to amend the various acts governing Brownfield consideration and administration. We offer comment only on Senate Bill 1061 which seeks to Amend P.A. 381. Oakland County requests the following language is included in the Bill as written.

Each comment is referenced by Clause;

2(ss) – Add the following language at Line 12;

“[s]hall be for mixed use development, or non-mixed use development if it is a single use site containing an obsolete or inoperable arena, stadium, or shopping center, such shopping center consisting of greater than one million square feet, [and].....”

14A (7) – Add the following additional subsection(s);

(C) Is for eligible property in a municipality that historically has a high level of structural unemployment and whose unemployment rate is then greater than 150% of the statewide unemployment rate as reported by the Bureau of Labor Statistics at the time of the initial application;

(D) Is for eligible property that is more than one million square feet of obsolete structure(s), which square foot amount may consist of a single structure or an assemblage of structures in accord with the multiple property allowances of 13A(1).

14A (8) – Add the following language at the end of the clause;

“Any positive or negative determination by the Governing Body and/or the Michigan Strategic Fund shall be supported by clear and convincing data contained within the record of proceedings of such body. Any such determination shall not preclude the consideration of a Brownfield Plan under all other provisions of this Act and shall in no way preclude or impede proper consideration of state participation therein.”

14A (9) – Strike this clause as being in conflict with 13A (6) and (7)

14A (10) – Add subsection (A) as follows;

“An amendment shall be considered an original application for purposes of the waiver provisions 13A(7) where such amendment shall act to preclude consideration of an otherwise lawful Transformational Brownfield Plan. “

14A (13) – New Subparagraph

“No provision of Section 13A shall act to impede, prohibit, influence or negate a Brownfield Plan constructed and approved pursuant to all other provisions of this Act, and in no way affect participation in such Brownfield Plan, pursuant to the regular course of consideration under the Act, by the State.”

We look forward to your reasoned consideration,

Regards,



Matthew A. Gibb